

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Penny S. Sheaffer
fka Penny S. Morhac
Debtor(s)

Bankruptcy Case No.: 15-23384-GLT
Issued Per 6/13/2019 Proceeding
Chapter: 13
Docket No.: 87 - 77
Concil. Conf.: June 13, 2019 at 03:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 25, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,161.00 as of June, 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 13, 2019 at 03:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Claim No. 6-2 of Parks TP Municipal Authority.

Wilmington Savings Fund Post Petition Fees related to claim 1 to be paid.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: June 14, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Penny S. Sheaffer
 Debtor

Case No. 15-23384-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 20

Date Rcvd: Jun 14, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 16, 2019.

db +Penny S. Sheaffer, 241 Bethel Church Road, Vandergrift, PA 15690-9043
 cr +Parks Twp Municipal Authority, 1106 Highland Avenue, Vandergrift, PA 15690-6136
 cr +Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 225 North Shore Drive,
 Pittsburgh, PA 15212-5860
 14106895 ++COLLECTION SERVICE CENTER INC, 363 VANADIUM ROAD, STE 109, PITTSBURGH PA 15243-1477
 (address filed with court: Collection Service Center, Attn:Collection Center,
 P. O. Box 14931, Pittsburgh, PA 15234)
 14106892 +Cach LLC aka Square Two Financial, 6300 South Syracuse Way, Ste. 300,
 Centennial, CO 80111-6723
 14106894 +Collection Service Center, P.O. Box 560, New Kensington, PA 15068-0560
 14186407 Department of Education, PO Box 16448, St. Paul, MN 55116-0448
 14106897 +Northwest Consumer Discount, P.O. Box 2169, Butler, PA 16003-2169
 14106898 PARKS TOWNSHIP MUNICIPAL AUTHORITY, 101 Highland Avenue, VANDERGRIFT, PA 15690
 14106901 U S Dept Of Ed/Gsl/Atl, P. O. Box 4222, Iowa City, IA 52244
 14727857 +Wilmington Savings Fund Society, FSB, Carrington Mortgage Services, LLC,
 1600 South Douglass Road, Anaheim, CA 92806-5948

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14106891 +E-mail/Text: rksnyder@co.armstrong.pa.us Jun 15 2019 02:27:37
 Armstrong County Tax Claim Bureau, Court House, 450 East Market Street,
 Kittanning, PA 16201-1409
 14135404 E-mail/PDF: resurgentbknofications@resurgent.com Jun 15 2019 02:34:04 CACH, LLC,
 PO Box 10587, Greenville, SC 29603-0587
 14106893 +E-mail/Text: bankruptcynotices@cbecompanies.com Jun 15 2019 02:27:34 Cbe Group,
 1309 Technology Parkway, Cedar Falls, IA 50613-6976
 14130907 +E-mail/Text: bankruptcy.bnc@ditech.com Jun 15 2019 02:26:41 Ditech Financial LLC,
 P.O. Box 6154, Rapid City, SD 57709-6154, Telephone number 57709-6154
 14106896 +E-mail/Text: bankruptcy.bnc@ditech.com Jun 15 2019 02:26:41 Green Tree Servicing LLC,
 P. O. Box 6172, Rapid City, SD 57709-6172
 14106900 +E-mail/Text: bankruptcy@sw-credit.com Jun 15 2019 02:27:12 Southwest Credit System,
 4120 International Parkway Suite 1100, Carrollton, TX 75007-1958
 14106902 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Jun 15 2019 02:26:24
 Verizon, 500 Technology Drive, Suite 550, Weldon Spring, MO 63304-2225
 14106903 E-mail/Text: bankruptcy@firstenergycorp.com Jun 15 2019 02:27:17 West Penn Power,
 76 South Main Street, Akron, OH 44308-1890
 14167028 +E-mail/Text: bankruptcy@firstenergycorp.com Jun 15 2019 02:27:17 West Penn Power,
 5001 NASA Blvd, Fairmont, WV 26554-8248

TOTAL: 9

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr CitiFinancial Servicing LLC
 cr CitiFinancial Servicing LLC et. al.
 cr Ditech Financial LLC, As Authorized Servicer Citif
 cr WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE O
 cr Wilmington Savings Fund Society, FSB Et Al...
 cr Wilmington Savings Fund Society, FSB, as trustee f
 cr Wilmington Savings Fund Society, FSB, as trustee f
 cr* CACH, LLC, PO Box 10587, Greenville, SC 29603-0587
 14106899 ##+Peoples Natural Gas, P. O. Box 6766, Pittsburgh, PA 15212-0766

TOTALS: 7, * 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
 will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
 debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 16, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 20

Date Rcvd: Jun 14, 2019

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 14, 2019 at the address(es) listed below:

David A. Colecchia on behalf of Debtor Penny S. Sheaffer colecchia542@comcast.net,
dcolecchia@my-lawyers.us;jmonroe@my-lawyers.us;sshipley@my-lawyers.us;rjuliano@my-lawyers.us;ekud
lock@my-lawyers.us
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB Et Al...
bkgroup@kmlawgroup.com
Joseph P. Schalk on behalf of Creditor CitiFinancial Servicing LLC et. al. jschalk@barley.com,
sromig@barley.com
Joseph P. Schalk on behalf of Creditor Ditech Financial LLC, As Authorized Servicer
Citifinancial Servicing LLC etal jschalk@barley.com, sromig@barley.com
Justin P. Schantz on behalf of Debtor Penny S. Sheaffer jschantz@my-lawyers.us,
colecchia542@comcast.net;office@my-lawyers.us;sshipley@my-lawyers.us;jmonroe@my-lawyers.us;rjulia
no@my-lawyers.us;ekudlock@my-lawyers.us
Mario J. Hanyon on behalf of Creditor CitiFinancial Servicing LLC pawb@fedphe.com
Michael S. Lazaroff on behalf of Creditor Parks Twp Municipal Authority
butlerdebtlaw@zoominternet.net, alliedmilitary@berlin.com;lazaroffmr67241@notify.bestcase.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 10